

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Michael Lester,)	C/A No. 2:21-cv-00140-SAL
)	
Petitioner,)	
)	OPINION & ORDER
v.)	
)	
Stevie Knight, Warden,)	
)	
Respondent.)	
_____)	

This matter is before the court for review of the August 2, 2021 Report and Recommendation (the “Report”) of United States Magistrate Judge Mary Gordon Baker, made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.). [ECF No. 16.] In the Report, the Magistrate Judge recommends that Respondent’s motion for summary judgment be granted. *Id.* Attached to the Report is the Notice of Right to File Objections. *Id.* at p.11. No party filed objections to the Report, and the time to do so has passed.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The court is charged with making a *de novo* determination of only those portions of the Report that have been specifically objected to, and the court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1). In the absence of objections, the court is not required to provide an explanation for adopting the Report and must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the Report, the applicable law, and the record of this case in accordance with the above standard, the court finds no clear error. Accordingly, the court adopts the Report, ECF No. 16, in its entirety and incorporates it herein. Therefore, it is the judgment of this court that Respondent's Motion for Summary Judgment, ECF No. 12, is **GRANTED**.

IT IS SO ORDERED.

/s/ Sherri A. Lydon
United States District Judge

November 30, 2021
Florence, South Carolina